



# Garstang Town Council

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Garstang Scout and Guide  
Headquarters  
Kepple Lane  
Garstang  
PR3 1PB

## Full Council Meeting, 6<sup>th</sup> December 2021 Minutes

Minutes of the Town Council meeting, held at Garstang Methodist Church, on 6 December 2021, 7.30pm.

### **Present**

Chairman: Cllr Allan

Councillors present: Allan, Atkinson, Brooks, Halford, Hogton, Leech, Pearson and Webster.

Also present: Town Clerk Edwina Parry.

Councillor Salisbury was not present.

### **167(2021-22) Apologies for absence**

Councillors Hynes, Lees and Mitchell.

Wyre Councillor Dulcie Atkins, Wyre Councillor Robert Atkins

### **168(2021-22) Declaration of Interests and Dispensations**

174(2021-22), 175(2021-22) and 176(2021-22) Councillor Atkinson declared an 'other interest'. He is the Town Councillor representative on Kepple Lane Park Trust.

174(2021-22) and 175(2021-22) Councillor Pearson declared an 'other interest'. He is the Town Councillor representative on Kepple Lane Park Trust and Chair of the Garstang Scouts and Guides Headquarters.

175 (2021-22) Councillor Halford declared an 'other interest'. He is a member of the Christmas Lights group.

175 (2021-22) Councillor Webster declared an 'other interest'. She is the Town council representative on the Christmas Lights group.

The RFO reported that dispensation forms were on file for Councillors Allan, Halford and Hogton who had a pecuniary interest as they resided in the parish. The approved dispensation forms allowed them to participate in precept discussions and decisions.

### **169(2021-22) Public participation**

There were no members of the public present at the meeting.

### **170(2021-22) Minutes of the last meeting**

A copy of the minutes of the Town Council meeting held on 15 November 2021 had been circulated.

**Resolved:** The minutes of the Town Council meeting held on 15 November 2021 were confirmed and signed as a true record.

**171(2021-22) Return to Face-to Face meeting protocol**

**Resolved:** The Council acknowledged the Teams approval form, 6/6/2021, whereby the Clerk has delegated authority, in consultation with the Mayor and Deputy Mayor, to amend the Face-to Face meeting protocol, as government advice is released, with updated advice circulated to Councillors.

**172(2021-22) Standing item: Neighbourhood Plan, Councillor Brooks**

No report received.

**173(2021-22) Finance Committee meeting, 29 November 2021**

A copy of the minutes of the Finance Committee meeting, held on 29 November 2021, had been circulated to all Council members.

**Resolved:** The minutes of the Finance Committee meeting, held on 29 November 2021, were confirmed and signed as a true record by the Finance Committee members.

Councillor Pearson arrived at the meeting.

**174(2021-22) 2022/23 Precept and budget figures**

Full Council referred to the Finance Committee minutes (29 November 2021) to assist them in determining the 2 recommendations from Finance Committee. Thanks were given to the Chair of the Finance Committee, Councillor Atkinson, for preparing the budget, with the assistance from the Finance Committee and the RFO.

**Resolved:**

- a) Full Council accepted the recommendation from the Finance Committee to accept the draft budget as outlined on Garstang Town Council: Draft V0.2 Budget 2022/23 which detailed a proposed precept figure of £94,733. Full Council noted that the Finance Committee would recommend a final budget at the Finance Committee meeting on 11 January 2022, ahead of final approval at Full Council's meeting on 17 January 2022. Full Council noted that Wyre Council had not yet confirmed the Tax Base for 2022/23
- b) Adhering to Financial regulations 4.9, Full Council accepted the recommendation from the Finance Committee and approved the reallocation of remaining MTWG funds, detailed below.  
Current EMR's

| Number  | Description   | Amount          |
|---------|---|-----------------|
| EMR 345 | MTWG EMR  | £ 7,148         |
| 4842    | MTWG Strategy Plan Consultancy                              | £ 4,500         |
| 4840    | MTWG events   | £ 1,000         |
| 4841    | MTWG projects/admin   | £ 445           |
| 1702    | Grants Received Other underspend of RHSSF Wyre Grant £2,360 | £ 380           |
|         | <b>Total</b>  | <b>£ 13,473</b> |

#### Proposed reallocation

| Number       | Description                           | Amount          |
|--------------|---------------------------------------|-----------------|
| EMR 345      | Heraldic Banners (EMR name to change) | £ 5,000         |
| New GGPB EMR | GGPB                                  | £ 4,500         |
| EMR 320      | Queens Jubilee (EMR name to change)   | £ 2,000         |
| EMR 320      | Queens Jubilee Community Orchard      | £ 500           |
| EMR 330      | Projector                             | £ 500           |
| EMR 332      | War Memorial Review Project           | £ 300           |
| EMR 325      | General Reserves                      | £ 673           |
|              | <b>Total</b>                          | <b>£ 13,473</b> |

#### **175(2021-22) VAT, Payments and Insurance, Councillor Atkinson**

Full Council considered Councillor Atkinson's report which was detailed in the agenda Appendix.

#### **Resolved:**

##### **a) VAT, Payments and Insurance policy**

Full Council resolved to accept the VAT, Payments and Insurance policy as detailed in the Appendix, with the amendment that 'Governance Body' should be decapitalised after point iv)

##### **b) Christmas Lights**

That the Town Council transfers the annual contribution (2021/22 is £3,050) to the Garstang Christmas Light Group (external group from Garstang Town Council) directly in the first month of the Town Council's financial year. For the financial year 2021/22, due to the later nature of this proposal, the annual contribution will be transferred from the Town Council (Cashbook 4) following this resolution to the Christmas Lights Group. This would either be to the Garstang Christmas Lights Group Bank Account (if opened) or the Chamber of Trade Christmas Lights Bank Account (as advised by Mr Damian Carr to Councillor Atkinson, Christmas Lights meeting 27/10/2021).

The Town Council will not insure the Christmas Lights (as has been the case since 2018), make payments relating to the Christmas Lights (except our annual contribution as detailed above), and will not reclaim any VAT relating to the Christmas Lights.

Any invoices currently sent to the Town Council, relating to the Christmas Lights will be re-directed to the Garstang Christmas Lights Group, via Mr Damian Carr and Town Council Representative Councillor Webster.

The Town Council will have 1 representative on the Garstang Christmas Lights Group, which Councillor Atkinson has been informed is becoming registered as a Charitable Trust, under the Small Charity's Constitution.

For information in Cashbook 4 (the Town Councils Christmas Lights bank account) there is currently £5280.82 of which £3,050 is the Town Councils Annual Contribution for 2021/22.

The Town Council, upon transferring the 2021/22 annual contribution of £3,050.00, closes Cashbook 4, the bank account currently used for the Christmas Lights, with the remaining funds (£2,222.40 VAT monies reclaimed for the 2020 Christmas Lights and a surplus of £8.42 in the account) to be transferred to the Town Councils Cashbook 3 and retained in EMR 339, Christmas Lights until a response from HMRC has been received.

**c) Kepple Lane Park**

The Council noted the following report from Councillor Atkinson. Further to resolution 138(2021-22) work has been undertaken to understand and resolve what the Town Councils future relationship with Kepple Lane Park Trust will be in light of the advice received.

The Chair of Finance proposed the following relationship to Kepple Lane Park Trust, in line with resolution 138(2021-22):

That the Town Council transfers our annual contribution (currently £4000) to Kepple Lane Park Trust directly in the first month of the Town Councils financial year.

That the Town Council would continue to maintain its obligations as set out in lease.

The Town Council will transfer the total amount held in the Kepple Lane Park EMR, as this has been built up as the surplus from the £4000 annually.

Response: In response, Kepple Lane Park Trust intends to surrender the lease for Kepple Lane Park and that in the coming months the Trust will notify the Town Council, via the Town Clerk, of the date which they intend to surrender the lease of, once some aspects of the Trusts work has been clarified. The Trust will have some final works to complete, following the lease being surrendered, which would be brought to Council for approval.

Note from the Chair of Finance and RFO:As a result of this response, the Town Council, from the date notice becomes effective, would assume responsibility for the management of Kepple Lane Park.

The lease, enacted in 2011, is due to end on the 6<sup>th</sup> July 2036. The lease provisions (section 6) that Kepple Lane Park Trust can at any time terminate the lease by giving the Town Council not less than 3 months' notice in writing.

**Resolved:**

- i. The Town Council will, upon receiving official notice from Kepple Lane Park Trust acknowledge receipt and thank Kepple Lane Park Trust for their hard work and commitment in developing Kepple Lane Park.
- ii. The Chair of Finance draws up plans for the management of Kepple Lane Park upon the lease being surrendered.
- iii. The Town Council will rescind resolution 57(2020-21).

**176(2021-22) Value Added Tax On Christmas Lights, Councillor Brooks**

The Council noted the questions directed to the Mayor/ Chairman of the Finance Committee, from Councillor Brooks;

- a) to require the Clerk/RFO to make available for Councillors' inspection at an appropriate time and place the last six years VAT Returns duly signed with the statutory declaration and supporting documentation and,
- b) all correspondence with HMRC on the matter of VAT,
- c) show the dates and notes of any meeting between councillors, the Clerk and members of the Christmas Lights Group where decisions or proposals regarding reclaiming VAT were made,
- d) the amounts, return by return, of VAT recovered on the suppliers' invoices and,
- e) professional advice received on the propriety of claiming on behalf of a third party.

**Resolved:** Council agreed to defer this item until a response has been received from HMRC.

**177(2021-22) Clerk Mobile phone, Councillor Atkinson**

Councillor Atkinson reported that the Town Clerk's phone battery life is now coming to its end and the phone is no longer suitably supporting the work of the Council. A phone is required for the Clerk for both a communication point of view and a Health and Safety perspective.

**Resolved:** That the Town Council purchase of a refurbished iPhone X, from Amazon at a cost of £257, and delegated to the Clerk to spend up to £20.00 for a new phone case and screen protector. The current contract with Vodafone would still apply.

The Council **further resolved**, guided by financial regulation 6.10, that the Clerk pays for the phone using her personal credit card and that, on delivery of the phone and confirmation of payment by the Clerk, the Clerk will seek approval on Teams from the Mayor and Chair of the Finance Committee, for the Clerk to be reimbursed as soon as possible. The cost to be met from EMR 330 IT Maintenance.

**178(2021-22) Remembrance Sunday Project : Donations, Councillor Allan**

**Resolved:** The Town Council approved:

- a) £50 donation to the Lions for providing Traffic management on Remembrance Sunday
- b) £100 donation to the Arts Centre for providing refreshments

Both payments, totalling £150.00, to be allocated to budget code 4641, Festivals Contributions.

**179(2021-22) Membership of the Personnel Committee, Councillor Allan**

**Resolved:** The Town Council approved the appointment of Councillor Mitchell onto the Personnel Committee and to accept the resignation of Councillor Allan from the committee. Councillor Allan's resignation would take effect after the next Personnel Committee which will be scheduled in the next couple of weeks.

**180(2021-22) PC projector for use at Town Council Meetings and events, Councillor Halford**

Council considered Councillor Halford's proposal to purchase and use a PC projector in Council and Committee meetings, and to include a figure of £500 in the budget for 2022/23 to purchase a projector. The Clerk pointed out that on the front sheet of the agenda, any non-Town Councillor attendees were asked to inform the Clerk prior to the meeting, and that any accessibility issues could be addressed at this point.

**Resolved:** The Town Council resolved not to purchase or include a PC projector figure of £500 in the budget for 2022/23.

The Council **further resolved for** any Councillor who required assistance with accessing Council papers to follow up with the Clerk.

**181(2021-22) Youth Council Disclosure and Barring Service (DBS)**

The Council noted the previous minute, Minute 58 20/07/2020, which related to this agenda item.

The Clerk reported that she had been sign posted to Burnley, Pendle and Rossendale Council for voluntary Service (BPRCVS) for the DBS service and complete the task. Council noted that free DBS checks are not being offered.. The Clerk has been

**Resolved:** The Council approved that DBS checks are carried out for Councillors Pearson and Atkinson, Lynn Harter, and Wyre Councillor Dulcie Atkins at a cost of £71.00, as detailed below. The costs will be met from budget code: Youth Council 4850

|  |                     |
|--|---------------------|
| Annual Service Fee (April 2021 – March 2022)   | £15.00              |
| Councillors Atkinson and Pearson, Lynn Harter and Wyre Councillor Dulcie Atkins - enhanced DBS check without the barred list | £56.00 (4 x £14.00) |
| <b>Total</b>   | <b>£71.00</b>       |

The Council **further resolved** to approve the policy for ex-offenders, as detailed in the Appendix, which is a requirement of BPRCVS

**182(2021-22) Payroll, Towers+Gornall Client Service Review, Councillor Allan and RFO**

Council noted the background: 15/3/2021 Resolution 283(2020-21) to this agenda item; Resolved: That the Council accept the revised fees from Towers+Gornall, which are a reduction on the fees for year end 31 March 2019.

Councillor Allan reported that the Client Service Review documents had been circulated to Councillors on Teams.

**Resolved:** The Council endorsed the confirmation of fees approved by Full Council on 15/3/2021, detailed below, and approved the circulated Proposal and Letter of Engagement.

| <b>Payroll Services</b>   | <b>Fees/Month</b> |
|---|-------------------|
| Payroll: Wages and Salaried Employees (Including Auto-enrolment | £54.00            |

| <b>Payroll Services</b>                  | <b>Fees/Month</b> |
|--|-------------------|
| where applicable) [Garstang Town Council |                   |
| P11d's [Garstang Town Council]           | £6.25             |
| Net Total                                | £60.25            |
| VAT                                      | £12.05            |
| Grand Total                              | £72.30            |

**183(2021-22) Wyre Planning Policy - Publication Draft Wyre Local Plan Partial Review (2011-2031) Public Consultation November 2021- for decision**

The Council noted that Wyre Council is in the process of undertaking a partial review of the adopted Wyre Local Plan 2011-2031 and that representations are invited over a seven-week period from 30 November 2021 to 5.00pm 18 January 2022. In accordance with the National Planning Policy Framework, the consultation seeks the views of the local community and stakeholders on:

- Legal compliance – has the council complied with all the relevant legislation and regulations, including the Duty to Cooperate, in preparing the reviewed plan?
- Whether the reviewed plan is “sound” – is it positively prepared, justified, effective and consistent with national planning policy?

**Resolved:** The Council thanked Councillor Brooks for his offer of collating a response on behalf of the Town Council, which he would send to the Clerk by 7/01/2022. This would enable the Council to consider Councillor Brooks report on 17/01/2022, approve a response, which would then be sent to Wyre Council on 18/01/2022 to comply with the deadline date.

**184(2021-22) Change date of approved Council meeting on Monday 18 April 2022**

Council noted that the approved date for a Full Council meeting (minute Reference 7(2021-22) is a public bank holiday and needs to be rescheduled.

**Resolved:** The Council agreed to reschedule the meeting from 18 April 2022 to Tuesday 19 April 2022. The agenda will be issued on Tuesday 12 April 2022.

**185(2021-22) Finance payments**

Councillors approved the following payments, with the exception that BACS00401 payment was made in consultation with the Chair of Finance. An email, not an invoice, was presented to the Council, detailing the renewal, as the payment is made on-line:

Royal Bank of Scotland Bank account – cashbook 3

| <b>Reference</b>      | <b>Description</b>   | <b>Amount</b> |
|-----------------------|--|---------------|
| BACS00398 & BACS00399 | Payroll (figures provided by Towers + Gornall)<br>To be paid electronically on 24/12/2021, Clerk: LC2 range SCP 19-32), 'National Agreement on Salaries and Conditions of service of Local Council Clerks in | £2,792.48     |

| Reference               | Description  | Amount  |
|-------------------------|--|---------|
|                         | England & Wales 2004'. Lengthsman: scale point SCP 1-4   |         |
| Direct Debit 19/12/2021 | LCC Pension  | £940.13 |
| BACS00400               | Mrs E Parry – Clerk's expenses, Microsoft Teams 27/10/2021 - 26/11/2021 reimbursement  | £54.72  |
| BACS00401               | Society of Local Council Clerks annual membership, due for renewal on the 1st January 2022.  | £186.00 |
| BACS00402               | Loyal Company of Town Criers annual membership   | £35.00  |
| BACS00403               | SLCC Budgeting Basics training as per minute 252(2020-21)  | £36.00  |
| BACS00404               | Reimbursement to the Clerk Premium Hosting 1 x Hosted Site (Annual Billing) £95.98 Basic SSL Certificate £35.98  | £131.96 |
| BACS00405               | Cllr Allan – reimbursement Remembrance Sunday – Face mask  | £6.69   |
| BACS00406               | Reimbursement to Clerk Mobile phone purchase, £262.99 (including £5.99 shipping) minute ref 177(2021-22) Screen Protector and Case totalling £17.08 The cost to be met from EMR 330 IT Maintenance | £280.07 |
| BACS00407               | Donation to Lions for Remembrance Sunday minute ref 178 & 80b(2021-22) budget code 4641, Festivals Contributions   | £50.00  |
| BACS00408               | Donation to Arts Centre for Remembrance Sunday minute ref 178 & 80b(2021-22) budget code 4641, Festivals Contributions   | £100.00 |
| Direct Debit 10/12/2021 | Vodafone – mobile phone 29 November to 28 December 2021  | £11.15  |
| Direct Debit 01/12/2021 | Three.co.uk - Office internet  | £8.11   |

**186(2021-22) Statement of Accounts at 30 November 2021 – for information**

|            |                               |            |
|------------|-------------------------------|------------|
| Cashbook1  | HSBC Current account          | £1,240.23  |
| Cashbook 2 | HSBC Reserve account          | £53,072.65 |
| Cashbook 3 | Royal Bank of Scotland        | £15,007.05 |
| Cashbook 4 | HSBC Christmas Lights account | £ 5,280.82 |
|            | Money Market Account 3 month  | £30,618.24 |

**187(2021-22) Items for Next Agenda**

Councillors are asked to raise matters to be included on the agenda and 'Report of other representatives and projects', for the meeting of the Town Council **on 17 January 2022 by notifying the Clerk by 7 January 2022.** The



item should specify the business which it is proposed to transact in such a way that the member who receives it can identify the matters which he will be expected to discuss i.e. it needs to specify either what the proposal is and that a decision is required or whether the item is for information only.

The Clerk has produced an agenda item template to assist Councillors collate their agenda item. The template can be found on Teams – Full Council.

**The Meeting Finished at: 8.54pm**

DRAFT

## For Information Only

### 188(2021-22) Clerk's Report

#### a) **Risk assessment for meetings**

The Clerk and Chair of Finance are updating the COVID Meeting Risk Assessment, as information is received from either government, district authority or SLCC sources

### 189(2021-22) Project Reports

#### a) **Action Plan**

Reference Council meeting 16/08/2021, minute 91.

The Town Council approved that project sheets are no longer used and instead utilise the summarised action plan. The Council further resolved that the plan be reviewed every 3 months.

The Clerk is highlighting that the Action Plan has not been reviewed by Full Council since 16/08/2021.

### 190(2021-22) Outside body representatives

None received

### 191(2021-22) Written Report from Wyre and Lancashire County Councillors

#### **Wyre Council – Tree Report Councillor Robert Atkins ( as mentioned at the meeting held on 15/11/2021**

Have your say on Wyre's urban woodlands

Wyre Council has committed to planting 25,000 trees as part of its pledge to tackle climate change. As part of this plan, the council is launching a consultation to ask the public their views on the sites they have outlined to be used as woodlands. The consultation will be available online until 19 November 2021.

Wyre Council declared a climate emergency in July 2019 and have since been working to reduce the council's emissions by at least 78% by 2035.

To achieve this, the council is working with the Woodland Trust to create 10 hectares of native woodland and hedgerows across its open spaces by 2025.

Trees offer huge benefits for mankind, wildlife and the environment. From filtering out air pollution, improving our wellbeing, providing habitat and foraging opportunities for birds, bats and other wildlife, to helping mitigate against flooding.

Councillor Simon Bridge, Portfolio Holder for Parks and Open Spaces, commented, "We are seeking the feedback from members of the public on the creation of these new woodlands throughout the borough.

"The planting and establishment of healthy trees is a vital part in reducing our carbon footprint. With the COP26 summit taking place in Glasgow, the eyes of the world are on the UK as we play our part in tackling climate change.

“I would urge members of the public to have their say on the plans and think about how they can help tackle climate change.”

Wyre Council will be kick starting this initiative during National Tree Week (28 November to 6 December). The council has identified the following areas suitable for this initiative, but wants to hear from residents their views on the proposals.

1. Eskdale Avenue open space, Fleetwood, FY7 8LU
2. Croasdale Drive open space, Thornton Cleveleys, FY5 2AG
3. Edward Street open space, Thornton Cleveleys, FY4 8HX
4. Civic Centre Playing Field, Poulton le Fylde, FY6 7HU
5. Poulton Cemetery, Garstang Road East, FY6 8JH
6. Hereford Avenue open space, Garstang, PR3 1EP
7. Canterbury Way open space, Garstang, PR3 1XE
8. Preesall recreation ground, Preesall, FY6 0ER

## Appendix

### 1) Item 9: VAT, Payments and Insurance

#### a) **VAT, Payments and Insurance Policy of the Council**

The recommended VAT, Payments and Insurance policy for the Council to adopt going forward in is:

- i) The Town Council does not make (or agree to make) payments on behalf of any other organisations which the Town Council is not the governance body for\*.
- ii) The Town Council does not reclaim (or agree to reclaim) VAT on behalf of or relating to any other organisations which the Town Council is not the governance body for\*.
- iii) The Town Council does not insure (or agree to insure) any works, facilities or activities on behalf of any other organisations which the Town Council is not the governance body for\*.
- iv) Where an organisation separates from the Town Council, the Town Council will no longer be considered to be the governance body, and as such points i-iii will apply.

For clarity, 'governance body' in this resolution is defined as a body/organisation which has sole responsibility, autonomy and authority to make decisions, and is solely accountable for these decisions.

For reference, Councillors can view the VAT Notice applicable to Garstang Town Council here: [Local authorities and similar bodies \(VAT Notice 749\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/local-authorities-and-similar-bodies-vat-notice-749)

## 2) Item 15: Youth Council Disclosure and Barring Service (DBS)

### **Recruitment of ex-offenders Policy Statement**

- As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Garstang Youth Council complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. Garstang Youth Council undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- Garstang Youth Council can only ask an individual to provide details of convictions and cautions that Garstang Youth Council are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended) and where appropriate Police Act Regulations (as amended), Garstang Youth Council can only ask an individual about convictions and cautions that are not protected.
- Garstang Youth Council is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- Garstang Youth Council has a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the outset of the recruitment process.
- Garstang Youth Council actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. Garstang Youth Council select all candidates for interview based on their skills, qualifications and experience.
- An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- Garstang Youth Council ensures that all those in Garstang Youth Council who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. Garstang Youth Council also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- At interview, or in a separate discussion, Garstang Youth Council ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- Garstang Youth Council makes every subject of a criminal record check submitted to DBS aware of the existence of the Code of Practice and makes a

copy available on request.

- Garstang Youth Council undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

## **Further information regarding conviction information**

On the 29 May 2013, legislation\*\* came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure.

- In addition, employers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions.
- All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.
- You can also direct applicants to the guidance and criteria on our website which explains the filtering of old and minor cautions and convictions which are now 'protected' so not subject to disclosure to employers.

\*\* See Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013; and Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) (England and Wales) Order 2013.